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Office Memorandum • UNITED STATES GOVERNMENT

TO : Personnel Director

DATE:

4 JUN 1953

FROM : Research and Planning Staff

SUBJECT: Leave Rights of Employees Separated for Military Service

1. Reference is made to an informal request from your office as to whether annual leave may be held in escrow for an employee separated for military service, rather than paid in a lump sum at the time of his separation.

2. The question pertained specifically to those employees participating in the special army reserve program for draft-eligible employees; however, their separations are, for this purpose, routine separations for military service.

3. Chapter 11-3 of the Federal Personnel Manual states that:

"....The act of August 1, 1941, as amended (5 U.S.C. 61a), permits employees entering upon military or naval service after May 1, 1940, to receive compensation covering their annual leave, or to elect to have such leave remain to their credit until their return from active military or naval service...." (emphasis supplied).

4. It may be further noted that the restrictions of the Thomas rider, requiring employees to use annual leave accumulated during any calendar year by 30 June of the following year, are not applicable to employees entering upon active military or naval service.

5. Our proposed Regulation No. [REDACTED] provides that employees separating for military service may elect whether to receive a lump sum payment for any accumulated annual leave to their credit or to have this leave remain to their credit pending their return to the Agency. It is possible that frequent election of the latter alternative might produce bookkeeping problems and extra processing of payments by the Comptroller when the individual does not return to duty. Accordingly, we do not suggest that any further emphasis be given this [REDACTED]

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